

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

MARGUERITE HOFFMAN,

Plaintiff,

L&M ARTS, et al.,

Defendants.

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Civil Action No. 3:10-CV-0953-D

**APPENDIX TO PLAINTIFF'S MEMORANDUM OF LAW  
IN OPPOSITION TO FOURTH MOTION TO COMPEL  
OF DEFENDANTS STUDIO CAPITAL, INC. AND DAVID MARTINEZ**

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Plaintiff Marguerite Hoffman ("Plaintiff") Files This Appendix to Plaintiff's Memorandum of Law in Opposition to Fourth Motion to Compel of Defendants Studio Capital, Inc. and David Martinez. Attached hereto is the following document filed in support of Plaintiff's opposition brief:

DESCRIPTION	EXHIBIT	APPENDIX PAGES
Declaration of Roger Netzer, Nov. 9, 2011	A	1-3

Dated: November 9, 2011

Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

By: /s/Roger Netzer

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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true copy of the foregoing is being served electronically via ECF on all counsel of record on the 9th day of November 2011.

/s/Kennon Scott

Kennon Scott

# **Exhibit A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

MARGUERITE HOFFMAN,

Plaintiff,

vs.

L&M ARTS, DAVID MARTINEZ,  
and STUDIO CAPITAL, INC.,

Defendants.

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Civil Action No. 3:10-CV-0953-D

**DECLARATION OF ROGER NETZER**

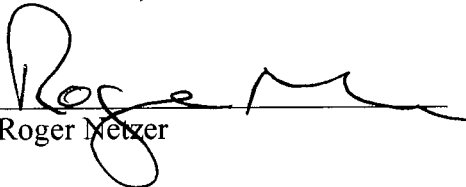
I, Roger Netzer, declare as follows:

1. I am a partner at Willkie Farr & Gallagher LLP and counsel to Plaintiff Marguerite Hoffman. I make this declaration on personal knowledge.
2. At all times during my representation of Plaintiff I have understood that communications between and among myself, Plaintiff, and Roland Augustine concerning issues relevant to this litigation were to be treated as privileged and confidential.
3. Mr. Augustine, an art dealer and my long-time client, introduced me to Ms. Hoffman at the time this dispute arose to assist Ms. Hoffman in selecting and engaging litigation counsel. At the commencement of my first conversations with both Ms. Hoffman and Mr. Augustine, we agreed that our ensuing communications would be confidential and for the purpose of rendering legal advice to Ms. Hoffman.

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4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 9th day of November, 2011, in New York, New York.

  
Roger Metzger